

05/07/01  
J1046 U.S. PTO

05-09-01

Attorney Docket No. 4600-0183.26

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Certification under 37 CFR §1.10 (if applicable)

EL 530 373 129 US  
Express Mail Label Number

May 7, 2001  
Date of Deposit

I hereby certify that this Transmittal Letter, enclosed application and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date above and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Deborah H. Brockmeyer  
(Print Name of Person Mailing Application)

*Deborah H. Brockmeyer*  
(Signature of Person Mailing Application)

J1046 U.S. PTO  
09/851410  
05/07/01

Transmittal of Divisional Patent Application  
for Filing Under 37 CFR §1.53(b)

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir: Transmitted herewith for filing is a patent application by inventor(s):  
Gregory R. Reyes, Patrice O. Yarbough, Daniel W. Bradley, and Krzysztof Z.  
Krawczynski, Albert W. Tam, and Kirk E. Fry, and entitled:

DNA SEQUENCES OF ENTERICALLY TRANSMITTED NON-A/NON-B HEPATITIS VIRAL AGENT

1. Enclosed are:
  - ☒ One stamped, self-addressed postcard for PTO datestamp
  - ☒ Certificate of Express Mail
  - ☒ One utility patent application containing text pages 1-110 and
    - ☒ 2 Sheets of drawings
  - ☒ Copy of executed Declarations of Inventorship from parent application Serial No. 08/279,823
  - ☒ copy of Sequence listing printout and matching declaration from parent application along with a Request to Use Computer-Readable form of Sequence Listing from parent application
  - ☐ A Preliminary Amendment
2. Amendment
  - ☐ Please enter the enclosed Preliminary Amendment before calculating the filing fee. It is understood that only amendments reducing the number of claims will be entered for this purpose.
3. Extension of Time
  - ☒ Conditional Petition for Extension of Time: An Extension of Time is requested to provide for timely filing if required to establish copendency with the parent after all papers filed herewith have been considered.

09851410-050701

4. U.S. Priority

- ☒ This application is a division of U.S. Application No. 09/128,275 filed August 3, 1998; which is a continuation of U.S. Application No. 08/279,823 filed July 25, 1994, now U.S. Patent No. 5,789,559; which is a continuation of U.S. Application No. 07/681,078 filed April 5, 1991; which is a continuation-in-part of U.S. Application No. 07/505,888 filed April 5, 1990; which is a continuation-in-part of U.S. Application No. 07/420,921 filed October 13, 1989; which is a continuation-in-part of U.S. Application No. 07/367,486 filed June 16, 1989; which is a continuation-in-part of U.S. Application No. 07/336.672 filed April 11, 1989; which is a continuation-in-part of U.S. Application No. 07/208,997 filed June 17, 1998, all of which are herein incorporated by reference in their entirety.

5. Foreign Priority

- ☐ Priority of Application No. filed in on is claimed under 35 USC §119.  
☐ A certified copy of this priority document is enclosed.

6. Prior Documents Still In Effect

- ☒ This application and parent application Serial No. 09/128,275 filed August 3, 1998 are assigned of record to The United States of America, as represented by the Secretary of the Department of Health and Human Services AND Genelabs Technologies, Inc.
- ☒ Power of Attorney in the above-identified prior application is to Larry W. Thrower, Reg. No. 47,994, and the other attorneys or agents identified therein.

7. Entity Status

- ☒ Large entity status applies to this application.

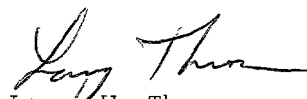
8. Fees

The filing fee has been calculated taking into account any amendments in section 2 above:

For:	(Col. 1) No. Filed	(Col. 2) No. Extra	Small Entity Rate	Fee		Other Than Small Entity Rate	Fee
Basic Fee				\$355.00	or		\$710.00
Total Claims	- 20		x \$ 9 =	\$	or	4 x \$ 18 =	\$0
Independent Claims	- 3		x \$40 =	\$	or	11 x \$ 80 =	\$0
<input type="checkbox"/> Multiple Dependent Claim Presented			+ \$135 =	\$	or	+ \$270 =	\$
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL	\$	or	TOTAL	\$0

- ☒ Filing fee to be submitted in response to anticipated receipt of Notice to File Missing Parts. DO NOT CHARGE DEPOSIT ACCOUNT.

Respectfully submitted,



Larry W. Thrower  
 Registration No. 47,994

Date: 5-7-01

Correspondence Address:

Customer No. 22918

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: 5-7-01

By: Deborah Brockman

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Reyes, et al.

EXAMINER: Unknown

SERIAL No.: Not yet Assigned

ART UNIT: Unknown

FILED: Concurrently Herewith

FOR: DNA SEQUENCES OF ENTERICALLY  
TRANSMITTED NON-A/NON-B  
HEPATITIS VIRAL AGENT

**Request to Use Computer-Readable Form of  
Sequence Listing from Parent Application**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The paper copy of the Sequence Listing in the above-identified application is identical to the computer readable copy of the Sequence Listing filed in Application Ser. No. 09/128,275 filed August 3, 1998. In accordance with 37 CFR \$1.821(e), please use the computer readable form from the parent as the computer readable form for the instant application. It is understood that the U.S. Patent and Trademark Office will make the necessary changes in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing was included in the originally filed specification of the instant application, or in a separately filed preliminary amendment dated September 18, 1998 for incorporation into the specification (whichever is applicable).

Respectfully submitted,



Larry W. Thrower  
Registration No. 47,994

Date: 5-7-01

**Correspondence Address:**

Customer No. 22918  
Phone: 650 324-0880

09/128,275